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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,357	01/19/2002	Satish Jamadagni	7416/84863 - PA23	7086

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EXAMINER

PEREZ, ANGELICA

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/054,357

Applicant(s)

JAMADAGNI, SATISH

Examiner

Angelica M. Perez

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Allowable Subject Matter

1. Claim 3 is allowed. The previous art of record teaches of a system for automatically downloading radio or protocol personalities over defined channels to a mobile terminal in a wide area network, the system comprising: an adaptable terminal, a spatial location service for providing geographic location information to the terminal, at least one component repository, and a download server, the component repository including at least one downloadable component and further including a service template that defines the service attributes of the downloadable component, the adaptable terminal including a location module in communication with the spatial location service to define the geographic location of the mobile terminal (figure 2A, item 280), the terminal further including a User Agent for locating downloadable components in the defined geographic location using a service request that enumerates the service needs of mode attributes.

The previous art of record does not teach where the **server directory includes a listing of service templates of component repositories in a defined geographic location and a Service Agent for communicating with the component depositories and User Agents, where the User Agent queries the Service Agent in the defined geographic location and neighboring locations to locate service components that match the terminals service need attributes such that when a matching component is located the terminal automatically downloads the component to the terminal.**

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Souissi (Souissi, Slim; US Pub. No.: 2002/0,068,608 A1) in view of Raverdy (Raverdy et al.; US Pub. No.: 2002/0,068,573 A1).

Regarding claim 1, Souissi teaches where in a communication system (figure 2A), a method for automatically downloading applications to a mobile terminal (paragraph 37 and 52), comprising the steps of: providing an adaptable terminal having a location module (figure 2A, item 280) and a download module (figure 2A; item 26; where the RF receives the downloaded software), determining the geographic location of the terminal using a spatial location application in communication with the location module (paragraph 52; where the unit "locates itself" employing, the well known in the art, GPS) selecting a geographic location for downloading an application to the terminal (paragraphs 50 and 52; where according to the list of locations and the location of the unit itself, the geographic location is selected for downloading applications); selecting a mode component for the mobile terminal from a service provider based on the query that matches attributes of the mobile query (paragraph 50; to provide the appropriate device application software, the server uses the location profiles in conjunction with location information. Moreover, the configuration is performed according to a particular

Art Unit: 2684

mode), downloading the selected mode component to the mobile terminal from a selected service provider (paragraph 50; e.g., "...automatically configure itself using software downloaded by the host computer"; where a host computer can be a server), registering the mode component with the service provider to enable use of the download component in the mobile terminal (paragraph 50; where according to "cost and data rate for location, it is implied that the mode must be registered before it is downloaded into the end user's unit), reconfiguring the mode personality of the mobile terminal based on the downloaded components (paragraph 50, lines 4-8; where the mobile terminal personality will not be the same after reconfiguration).

Although Souissi's method know when the user's unit lacks a certain capability, Souissi does not specifically teaches of querying the terminal and download servers for available modes and applications.

In related art, concerning a system and method for selectively providing information to a user device, Raverdy teaches of querying the terminal for available modes and applications (paragraph 45; where the download module determines, "queries", "whether the application software 312 already exists on user device 114"), querying the download servers in the selected geographic location for available applications (paragraph 64, where the "server 138" utilize the "location profiles in conjunction to location information...to provide appropriate content information"), and neighboring locations for matching modes to determine whether the download servers support the mobile terminal available modes (paragraph 64, where the "server 138"

Art Unit: 2684

utilize the "location profiles in conjunction to location information...to provide appropriate content information").

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Souissi's combination system and method with Raverdy's querying of the terminal and download servers in order to "determine whether a version of the application software 312 already exists on user device 114", and "perform an update procedure of the current version of the application software", as taught by Raverdy.

Regarding claim 2, Souissi in view of Raverdy teaches all the limitations of claim 1. Raverdy further teaches where the spatial location application is a location server (paragraph 44; where the server is an "event location" server).

Regarding claim 4, Souissi teaches of an adaptable terminal for automatically downloading applications (paragraph 37 and 52), the terminal comprising: a user interface (), a location module (figure 2A, item 280), a download module for locating downloadable components for a selected location (figure 2A, item 260), a protocol module (figure 2A, item 260; where the downloading of software comprises changing protocols), an air interface module for enabling remote transmission (figure 2A, item 260; where RF interface enables remote transmission), a reconfiguration module (figure 2A, item 260; where the change of interface, reconfigures the unit); and a download cache (figure 2A, item 260; where the temporary storage of the "mode" can be done in a "cache").

Art Unit: 2684

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Souissi in view of McAndrew (McAndrew et al.; GB 2,350,749 A).

Regarding claim 5, Souissi teaches all the limitations of claim 4.

Souissi does not specifically teaches where the adaptable terminal is a Software defined Radio terminal.

In related art, concerning transferring configuration data to a software defined radio apparatus, McAndrew further teaches where the adaptable terminal is a Software defined Radio terminal (page 6, lines 17-19).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Souissi's combination system and method with McAndrew Software defined Radio terminal in order to reconfigure the system as needed, as taught by McAndrew.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No.: 6,052,600 A, refers to software programmable radio and method for configuring.

US Pub. No.: 2001/0018349 A1, refers to location dependent services.

US Patent No.: 6,721,542 B1, refers to system for locating specific, automatic mobile station behavior control.

US Pub. No.: 2002/0,082,044 A1, refers to wireless communication with a mobile asset employing dynamic configuration of a software defined radio.

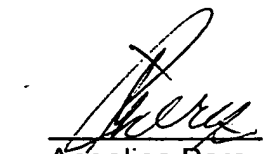
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 703-305-8724. The examiner can normally be reached on 7:15 a.m. - 3:55 p.m., Monday - Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and for After Final communications.

Information regarding Patent Application Information Retrieval (PAIR) system can be found at 866-217-9197 (toll-free).

Art Unit: 2684

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.


Angelica Perez
(Examiner)


NICK CORSARO
PRIMARY EXAMINER

Art Unit 2684

February 7, 2005